

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SEAN P. DOUGHERTY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:21-cv-1163-MTS
)	
LEIDOS,)	
)	
Defendant.)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Defendant Leidos, Inc. (“Leidos” or “Defendant”) moves for summary judgment in its favor on all claims. *See* Fed. R. Civ. P. 56. In support, Leidos states:

1. This case is an employment dispute under Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act.
2. Plaintiff Sean P. Dougherty worked for Leidos.
3. Under Rule 56, “Summary judgment is proper if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” *Lovelace v. Washington Univ. Sch. of Med.*, 931 F.3d 698, 705 (8th Cir. 2019). “There is no discrimination-case exception to a district court’s power to grant summary judgment.” *Id.*
4. Summary judgment is proper for Leidos because Plaintiff cannot establish his claims of sex discrimination, disability discrimination, or retaliation.
5. Pursuant to Local Rule 4.01(A), Leidos is contemporaneously filing a Memorandum in Support of this motion. The Memorandum in Support is incorporated by reference as if fully set forth herein.

6. Pursuant to Local Rule 4.01(E), Leidos' above-described Memorandum in Support is accompanied by a separately filed Statement of Uncontroverted Material Facts, which is incorporated by reference as if fully set forth herein.

7. Accordingly, for the reasons set forth above and in the incorporated documents and exhibits submitted herewith, the Court should enter summary judgment for Leidos on all claims.

WHEREFORE, Defendant Leidos, Inc. respectfully requests the Court enter summary judgment in its favor and against Plaintiff on all claims, award Defendant its costs and attorneys' fees, and issue any other relief the Court deems just and proper.

Respectfully submitted,

**OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.**

/s/ Mallory S. Zoia

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Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned certifies that on the 4th day of January, 2023, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, and was served via U.S. mail and electronic mail to the following:

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Pro se Plaintiff

/s/ Mallory S. Zoia

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